

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM  
Section 7: Village of Chama

**Subfile No. CHRU-001-0019A**

**MOTION FOR SUBSTITUTION OF PARTIES**

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and pursuant to Fed. R. Civ. P. 25(a)(1) moves the Court to issue its order substituting CRAIG DAUGHERTY and CARY DAUGHERTY for defendant JACK COWAN in these proceedings with respect to the water rights under subfile CHRU-001-0019A, and as grounds states the following:

1. The land and water rights under subfile CHRU-001-0019A have been sold to Craig Daugherty and Cary Daughtery. In addition, there are errors in the mapping of the water rights under this subfile and the correct boundary of land to the north owned by Ed Cowan. The State has been working with Edward Cowan, Craig Daughtery and Cary Daughtery to correct these errors, and expects to enter revised Consent Orders for these properties shortly after vacating the original Consent Order filed with respect to subfile CHRU-001-0019A.

WHEREFORE the State of New Mexico requests the Court to enter its order substituting Craig Daugherty an Cary Daughtery for defendant Jack Cowan in these proceedings with respect to the water rights under subfile CHRU-001-0019A.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 3<sup>th</sup> day of October, 2007 I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Craig Daughtery  
Cary Daughtery  
HC 75, Box 119  
Chama, NM 87520

/s/ Ed Newville

EDWARD G. NEWVILLE